

REMARKS

Entry of this Amendment, reconsideration of all grounds of rejection, and allowance of this application are respectfully requested in light of the above amendments and the following remarks. Claims 1-10 remain pending herein.

Summary of the Rejections:

(1) Claims 1, 8 and 10 stand rejected under 35 U.S.C. §112, first paragraph.

(2) Claims 1-4 and 8-10 stand rejected under 35 U.S.C. §102(b) over Kellermann (U.S. 5,608,962).

(3) Claims 5-7 stand rejected under 35 U.S.C. §103(a) over the combination of Kellermann in view of Kaneda.

Applicants Traversal:

Applicants have amended base claims 1, 8 and 10 to clarify that the claimed invention is an improvement over a method and apparatus of a Delay-Sum type Beamformer that utilizes an energy transfer function for delay compensation. Furthermore, this process and apparatus utilizes a controller operable to control the processor in order to maximize a power measure of the combined audio signal, wherein the controller is arranged to limit a combined power

gain measure of the processed audio signals to a predetermined value without measuring an energy transfer at each site where one respective audio source of the plurality of audio sources receives the input audio signals. The specification, at page 6, lines 7-10 teaches that the frequency dependence from the person speaking to the microphone was needed in the prior art arrangement, and is not required by the instantly claimed invention.

It is respectfully submitted that a person of ordinary skill in the art understands the above recitation and that 35 U.S.C. §112 is complied with.

Furthermore, Applicants respectfully submit that with regards to Kellerman, or Kellerman and Kaneda, these references are not direct to a Delay-Sum type Beamformer that uses energy transfer for compensation, so they are not applicable in the sense that they allegedly teach "non-measurement".

In addition, Kellerman fails to anticipate at least the above-amendment to claims 1, 8 and 10, nor would these claims have been obvious in view of Kellerman. The prior art method of weighting microphones. Kaneda, in combination with Kellerman, fails to disclose, suggest or motivate an artisan such that the claimed invention would have been obvious at the time of invention.

AMENDMENT under 37 CFR §1.113
U.S. Appln. No. 09/196,064

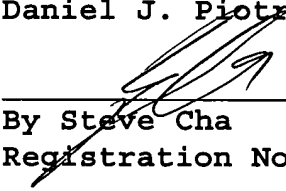
Our File: PHN16-638

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone communication, he is respectfully requested to telephone Applicants' undersigned Attorney at the number listed below.

Respectfully submitted,

Daniel J. Piotrowski

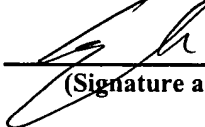

By Steve Cha
Registration No. 44,069

Date: June 19, 2003

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the COMMISSIONER FOR PATENTS, Mail Stop AF, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 19, 2003.

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(Name of Registered Representative)

 6/19/03
(Signature and Date)